

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION

DEBORAH RAY, as Administratrix of the Estate
of Justin Smith, deceased

PLAINTIFF

V.

CAUSE NO.: 1:09CV213-SA-DAS

CITY OF COLUMBUS, ROBERT SMITH,
RICK JONES, and JOE JOHNSON
in their individual and official capacities

DEFENDANTS

ORDER ON MOTIONS

Rick Jones' Motion for Summary Judgment [191] is GRANTED as Plaintiff has failed to create a genuine issue of material fact that Jones caused a constitutional violation or that his conduct was unreasonable.

Likewise, Robert Smith's Motion for Summary Judgment [188] is GRANTED. Plaintiff has failed to show that his conduct caused Justin Smith's death, or that he established any unconstitutional policy regarding Columbus Police Department's training or supervision that caused Smith's death.

The City of Columbus' Motion for Summary Judgment [190] is also GRANTED. Plaintiff has not created a genuine issue of material fact as to whether the City may be held liable for failure to train or supervise the Columbus Police Department.

Joe Johnson's Motion for Summary Judgment [192] is DENIED. The Court finds there exists a genuine issue of material fact as to whether the shooting was intentional or accidental.

Defendants' Motion to Strike [221] is GRANTED IN PART and DENIED IN PART.

Plaintiff's Motion to Exclude Expert Testimony [217] is DENIED.

Defendants' Motion to Exclude Expert Testimony [219] is GRANTED IN PART and DENIED IN PART.

SO ORDERED, this the 17th day of August, 2011.

/s/ Sharion Aycock
U.S. DISTRICT JUDGE